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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/812,914

03/31/2004

Paer von Malmborg

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EXAMINER

FOREMAN, JONATHAN M

ART UNIT

PAPER NUMBER

3736

MAIL DATE

DELIVERY MODE

05/13/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/812,914	Applicant(s) VON MALMBORG ET AL.	
	Examiner JONATHAN ML FOREMAN	Art Unit 3736	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/24/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed 11/24/08 complies with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file, and the information referred to therein has been considered by the examiner as to the merits.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 18 – 21 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,938,624 to Akerfeldt et al.

In regard to claims 18 – 21, Akerfeldt et al. disclose a male connector for a guide wire (Figure 2), the male connector comprising a core wire (1), a plurality of conductive members (5) spaced apart longitudinally along said core wire, and a plurality of conductors (7) disposed along the core wire, the conductors being connected to a respective conductive member, wherein at least one of the conductors passes by, immediately before connecting to the respective connected conductive member, a portion of the connector that has a greater stiffness than the stiffness of an entire portion of the connector between the plurality of conductive members; a greater stiffness than a stiffness of an extra continuous outer insulating material between the plurality of conductive members; and a greater stiffness than a portion of the connector between the respective connected conductive member and the extra continuous outer insulating material in that at least one of the conductors (7) passes through a conductive member (5) before connecting to a respective conductive member.

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Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 - 17 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,938,624 to Akerfeldt et al. in view of U.S. Patent No. 5,374,285 to Vaiani et al.

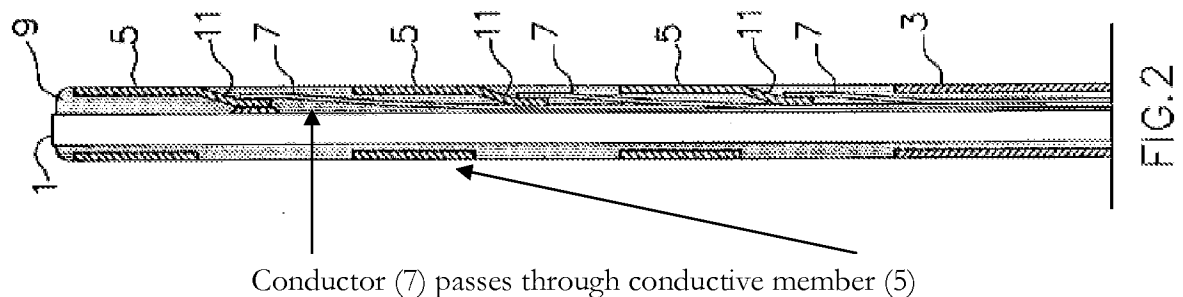
In regard to claims 1 – 17 Akerfeldt et al. disclose a male connector for a guide wire, the male connector comprising a core wire (1), a plurality of conductive members (5) spaced apart longitudinally along said core wire, a plurality of conductors (7) disposed along the core wire, the conductors being connected to a respective conductive member. However, Akerfeldt et al. fails to disclose at least one conductor extends from beyond a distal end of a respective connected conductive member towards a proximal end of the respective connected conductive member along at least a substantial portion of the respective connected conductive member, wherein the at least one conductor extending from beyond the distal end of the respective connected conductive member towards the proximal end of the respective connected conductive member extends in a loop beyond the proximal end of the conductive member before extending back towards the distal end of the respective connected conductive member. Vaiani et al. disclose an elongate medical device having at least one conductive member (5) and at least one conductor (2) extending from beyond a first end of the respective connected conductive member towards the second end of the respective connected conductive member in a retrograde loop which extends beyond the second end of the conductive member before extending back towards the first end of the respective connected

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conductive member (Col. 3, lines 60 – 68). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the connection of the at least one conductor disclosed by Akerfeldt et al. to extend from beyond the distal end of the respective connected conductive member towards the proximal end of the respective connected conductive member in a retrograde loop which extends beyond the proximal end of the conductive member before extending back towards the distal end of the respective connected conductive member in order to anchor the conductor to the best possible effect (Col. 3, lines 65 - 68).

Response to Arguments

Applicant's arguments filed 1/16/09 have been fully considered but they are not persuasive. In regard to claims 18 – 21, Akerfeldt et al. disclose the claimed features in at least one of the conductors (7) passes through a conductive member (5) immediately before connecting to a respective conductive member (See Below).



This conductive member provides a greater stiffness. It is noted that immediate does not necessarily mean adjacent but can be reasonably interpreted as near (See www.answers.com/immediate).

Although Vaiani et al. teach the conductive members being positioned at a distal end of the device, one having ordinary skill in the art would glean from the disclosure that forming a loop in the conductor before being connected to a conductive member as taught by Vaiani et al. would aid in

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the anchoring of the conductor to the best possible effect (Col. 3, lines 65 - 68). Forming a loop in this manner would allow a portion of the wire itself, and not just a solder connection, to aid against a force pulling on the conductor that might separate the conductor from the conductive member.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN ML FOREMAN whose telephone number is (571)272-4724. The examiner can normally be reached on Monday - Friday 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Max Hindenburg can be reached on (571)272-4726. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. M. F./
Examiner, Art Unit 3736

/Max Hindenburg/
Supervisory Patent Examiner, Art Unit 3736